

Edward W. Swanson, SBN 159859
August Gugelmann, SBN 240544
SWANSON McNAMARA & HALLER LLP
300 Montgomery Street, Suite 1100
San Francisco, California 94104
Telephone: (415) 477-3800
Facsimile: (415) 477-9010

Attorneys for Defendant JOHNNY BROWN

FILED

SEP 13 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

JOHNNY BROWN,
Defendant.

No. MJ 10-70394 MAJ

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING**

Johnny Brown, by and through Edward W. Swanson, and the United States, by and through Assistant United States Attorney William Frentzen, hereby agree and stipulate as follows:

1) The parties are scheduled to appear before this Court on September 15, 2010 at 9:30 a.m. for arraignment or preliminary hearing.

2) The parties continue to discuss pre-indictment resolution to this matter but require additional time. To allow these negotiations to proceed, the parties request that this matter be continued to September 29, 2010 at 9:30 a.m.

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3) The parties agree that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial and therefore request that time be excluded until September 29, 2010 pursuant to 18 U.S.C. § 3161(h)(7).

IT IS SO STIPULATED.

Dated: September 10, 2010

/s/
Edward W. Swanson
SWANSON & McNAMARA LLP
Attorneys for JOHNNY BROWN

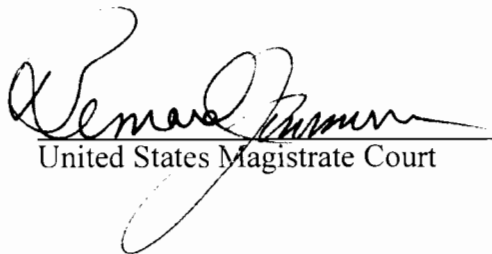
Dated: September 10, 2010

/s/
William Frentzen
Assistant United States Attorney

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Court finds that the ends of justice served by this continuance outweigh the best interests of the public and the defendant in a speedy trial and therefore orders that time is excluded until September 29, 2010 pursuant to 18 U.S.C. § 3161(h)(7).

Dated: *13 Sept '10*


United States Magistrate Court